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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 JASON JAY VER VALEN,

8 Plaintiff,

v.

9 HELEN DONATACCI,

10 Defendant.

11 No. C11-5058 RBL/KLS

12 **ORDER ADOPTING REPORT AND**
13 **RECOMMENDATION**

14 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen
15 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,
16 does hereby find and **ORDER**:

- 17 1) The Court adopts the Report and Recommendation.
- 18 2) Defendant Donatacci's motion to dismiss (ECF No. 12) is **GRANTED** for
19 Plaintiff's failure to exhaust administrative remedies and Plaintiff's claims against
20 Defendant Donatacci are **DISMISSED WITHOUT PREJUDICE**.
- 21 3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
22 Defendant and to the Hon. Karen L. Strombom.

23 **DATED** this 24th day of August, 2011.

24 
25 RONALD B. LEIGHTON
26 UNITED STATES DISTRICT JUDGE